

REMARKS

Applicants have cancelled claims 1-23 and 26 and have added claims 27-54 and amended claims 24 and 25.

The Office Action rejected claims 1-26 under 35 U.S.C. §112, second paragraph, as being indefinite on various grounds. As noted above, applicants have cancelled claims 1-23 and 26, amended claims 24 and 25, and submitted new claims 27-54 in an effort to address the §112, second paragraph rejection. Withdrawal of this rejection is respectfully requested.

The Office Action also set forth several prior art rejections as follows:

Claims 1-7 were rejected under 35 U.S.C. §102(b) as being anticipated by Geneste et al. (European Journal of Medicinal Chemistry (1978), 12(1), 53-9);

Claims 1-7 and 24 were rejected under 35 U.S.C. §102(e) as being anticipated by Webber et al. (U.S. Patent No. 6,548,494); and

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Webber et al.

Claim 1 has been replaced by claim 27 which restricts B to piperidine or piperazine groups. Thus, the claims are not anticipated by Geneste et al. who disclose compounds where B would be Me or PhCH₂. Similarly, while Webber et al. disclose an extremely broad genus as substituents for R¹ (B), there is absolutely no suggestion that piperidine or piperazine are preferred substituents. Thus, the claims are not anticipated or rendered obvious by Webber et al. In re Meyer, 599 F.2d 1026, 1031-32, 202 USPQ 175 (CCPA 1979); In re Ornitz, 376 F.2d 330, 336, 153 USPQ 453 (CCPA 1967).

Favorable consideration and allowance of claims 24, 25 and 27-54 is respectfully requested.

Respectfully submitted,

Wood, Phillips, Katz,
Clark and Mortimer

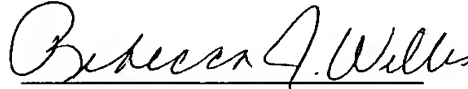
By 
Martin L. Katz, Reg. No. 25,011

Date: February 27, 2004

Citicorp Center
500 West Madison Street
Suite 3800
Chicago, IL 60661
(312) 876-1800

37 CFR 18
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, as first class mail in an envelope addressed to Box Non-Fee, Commissioner for Patents, Alexandria, Virginia 22313-1450 on February 27, 2004.



Rebecca J. Willis